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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/064,292	06/28/2002	Clinton D. Knight	RPS920020041US1	4436

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EXAMINER
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TRAN, MYLINH T

ART UNIT	PAPER NUMBER
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2179

DATE MAILED: 07/26/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/064,292

Applicant(s)

KNIGHT ET AL.

Examiner

Mylinh Tran

Art Unit

2179

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 28 June 2002.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 28 June 2002 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

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## DETAILED ACTION

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1, 3, 5-8, 9 and 14-16 are rejected under 35 U.S.C. 102(e) as being anticipated by Thames et al. [US. 2004/0199516].

As to claims 1 and 9, Thames et al. teach a computer implemented method and corresponding apparatus for having a display screen, a switch, and a pointing device for moving a cursor image on the display screen comprising program instructions for performing the steps of displaying an object on the display screen (figure 41A, EvoScope Frame Layout); displaying a tool tip on the display screen in response to the positioning of the cursor image over the object (figure 41A, the tool tip (4101) is displayed when the cursor (1601) places over the left brace, page 42, 0652); continuing to display the tool tip in response to the movement of the cursor from the object to the tool tip (figure 41B, the tool tip (4101) is still displayed when the cursor (1601) places over the tool tip, 0652).

As to claims 3, 6 and 14, Thames et al. disclose performing the step of removing the tool tip from the display screen in response to the movement of the cursor both off the object and off the tool tip (figures 42-43).

As to claims 5, 7, 8, and 15-16, Thames et al. also disclose the tool tip including a hyperlink displayed within the tool tip (figure 41 A, hyperlink 4102, 0652), further comprising program instructions for performing the step of displaying on the display screen linked data in response to the cursor being positioned over the hyperlink within the tool tip and the activation of the switch (figure 41C, the displayed screen linked data 4120 is displayed when the cursor is selected the hyperlink 4102, 0652).

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 2, 4 and 10-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Thames et al. [US. 2004/0199516] in view of Graham [2002/0054013].

As to claims 2 and 10, Thames et al. also teach the tool tip having an overlapping portion that overlaps the object on the display screen (figure 41A, the tool tip (4101) overlaps the object underneath), and a non-overlapping portion that does

not overlap the object on the display screen (figure 41A, the tool tip does not overlap the object left brace).

Thames et al. fail to teach the step of continuing to display the tool tip in response to the movement of the cursor from the object to the overlapping portion of the tool tip, followed by the movement of the cursor from the overlapping portion to the non-overlapping portion of the tool tip, however, suggested that the mouse cursor points to the tool tip for a sufficient amount of time and a delay between when the mouse cursor is initially positioned to point at the tool control on the tool bar and when tool tip is displayed. The delay is sufficiently long to allow the user to move the mouse cursor if he does not want to receive a tool tip (0017). Official notice is taken that implementation of continuing to display the tool tip is in response to the movement of the cursor from the object to the overlapping portion of the tool tip, followed by the movement of the cursor from the overlapping portion to the non-overlapping portion of the tool tip. It would have been obvious to one of skill in the art, at the time the invention was made, to combine the well known implementation of the continuation to display the tool tip with Thames et al. Motivation of the combining would have been to give user extra time to obtain additional information from the tool tip.

As to claims 4 and 12-13, Thames et al. also disclose the tool tip including a hyperlink displayed within the tool tip (figure 41 A, hyperlink 4102, 0652), further comprising program instructions for performing the step of displaying on the display screen linked data in response to the cursor being positioned over the

hyperlink within the tool tip and the activation of the switch (figure 41C, the displayed screen linked data 4120 is displayed when the cursor is selected the hyperlink 4102, 0652).

As to claim 11, Thames et al. disclose performing the step of removing the tool tip from the display screen in response to the movement of the cursor both off the object and off the tool tip (figures 42-43).

### **Conclusion**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mylinh Tran. The examiner can normally be reached on Mon - Thu from 7:00AM to 3:00PM at 571-272-4141.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Weilun Lo, can be reached at 571-272-4847.

The fax phone numbers for the organization where this application or proceeding is assigned are as follows:

703-872-9306

and / or:

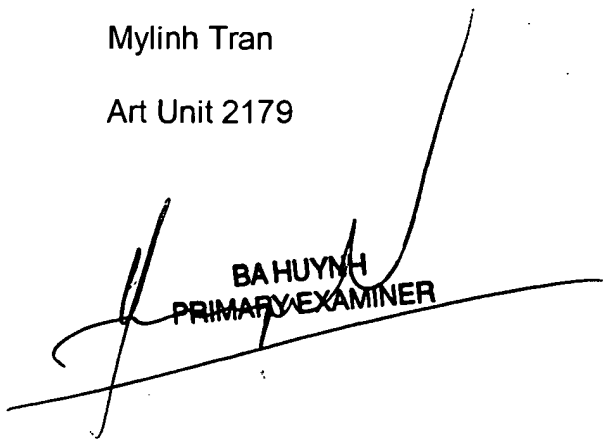
571-273-4141 (use this FAX #, only after approval by Examiner, for "INFORMAL" or "DRAFT" communication. Examiners may request that a formal paper / amendment be faxed directly to them on occasions).

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Mylinh Tran

Art Unit 2179

  
BA HUYNH  
PRIMARY EXAMINER